

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

STATE OF TEXAS, *et al.*,

Plaintiffs,

*versus*

UNITED STATES OF AMERICA, *et al.*,

Defendants;

**CIVIL ACTION NO. 7:16-cv-00054-O**

---

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION,  
AMERICAN CIVIL LIBERTIES UNION  
OF TEXAS,  
GLBTQ LEGAL ADVOCATES &  
DEFENDERS,  
LAMBDA LEGAL DEFENSE AND  
EDUCATION FUND, INC.,  
NATIONAL CENTER FOR LESBIAN  
RIGHTS, and  
TRANSGENDER LAW CENTER,

Movants.

**MOTION FOR LEAVE TO FILE BRIEF AS *AMICI CURIAE***

Pursuant to Local Rule 7.1, American Civil Liberties Union Foundation, American Civil Liberties Union of Texas, GLBTQ Legal Advocates and Defenders, Lambda Legal Defense and Education Fund, Inc., National Center for Lesbian Rights, and Transgender Law Center move the Court for leave to file the attached Brief as *Amici Curiae* in opposition to Plaintiffs' Application for Preliminary Injunction (Dkt. No. 11) and in support of Defendants.

In support of this application, Movants submit a supporting brief in compliance with Local Rule 7.1(h).

**Certificate of Conference in Compliance with Local Rule 7.1(b):**

Counsel for *Amici* has conferred with counsel for Plaintiffs and Defendants and they both take no position on this motion, provided however that this motion for leave must be filed no later than Wednesday, July 27, 2016 and the proposed brief must be attached to the motion.

WHEREFORE, Movants respectfully request the Court's leave to file their Brief *Amici Curiae* and that the Court further instruct the Clerk to docket the brief tendered herewith in this matter.

Respectfully submitted this 27th day of July, 2016.

s/ Kenneth D. Upton, Jr.

Kenneth D. Upton, Jr.  
Texas State Bar No. 00797972  
[kupton@lambdalegal.org](mailto:kupton@lambdalegal.org)

Paul D. Castillo  
Texas State Bar No.  
[pcastillo@lambdalegal.org](mailto:pcastillo@lambdalegal.org)

LAMBDA LEGAL DEFENSE AND  
EDUCATION FUND, INC.  
3500 Oak Lawn Avenue, Suite 500  
Dallas, Texas 75219-6722  
Telephone: (214) 219-8585  
Facsimile: (214) 219-4455

ATTORNEY FOR ALL MOVANTS

**CERTIFICATE OF SERVICE**

On July 27, 2016, I electronically submitted the foregoing document to the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served counsel of record for Plaintiffs and Defendants electronically through the Court's ECF system.

s/ *Kenneth D. Upton, Jr.*

Kenneth D. Upton, Jr.